

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

LYNNE FREEMAN,

Plaintiff,

vs.

TRACY DEEBS-ELKENANEY P/K/A  
TRACY WOLFF, et al.,

Defendants.

Case No.: 1:22-cv-02435-LLS-SN

**DECLARATION OF BENJAMIN S. HALPERIN**

Benjamin S. Halperin declares as follows:

1. I am a Partner with Cowan, DeBaets, Abrahams, & Sheppard LLP, attorneys for defendants Tracy Deebs-Elkenaney p/k/a Tracy Wolff, Entangled Publishing, LLC, Holtzbrinck Publishers, LLC d/b/a Macmillan, and Universal City Studios LLC in the above-captioned matter. I make this declaration in support of all Defendants' *Daubert* motion to exclude Plaintiff Lynne Freeman's liability experts and in opposition to Plaintiff's *Daubert* motion.

2. Attached hereto as Exhibit A are true and correct excerpts of Dr. Juola's deposition transcript, which was taken on September 26, 2023 in connection with this action.

3. Attached hereto as Exhibit B are true and correct excerpts of Dr. Chaski's deposition transcript, which was taken on September 28, 2023 in connection with this action.

4. Attached hereto as Exhibit C is a true and correct copy of an email exchange between Plaintiff's counsel and Defendants' counsel dated July 28, 2023 and August 2, 2023.

5. Attached hereto as Exhibits D1-D10 are true and correct copies of Dr. Chaski's keyword clusters for the following of her keywords: "Alaska" (D-1); "aurora" (D-2); "Diego" (D-3); "herbal" (D-4); "mutation" (D-5); "protector" (D-6); "Stonehenge" (D-7); "vampire" (D-8);

“waggle” (D-9); and “werewolf” (D-10). We stand ready to file the remainder of Dr. Chaski’s keyword clusters at the Court’s request.

6. Attached hereto as Exhibit E is a true and correct copy of Plaintiff’s expert Christine Witthohn’s report.

7. Attached hereto as Exhibit F are true and correct excerpts of Ms. Witthohn’s deposition transcript, which was taken on September 13, 2023 in connection with this action.

8. Attached hereto as Exhibit G is a true and correct copy of Plaintiff’s expert Eric Ruben, Esq.’s report.

9. Attached hereto as Exhibit H is a true and correct copy of Plaintiff’s expert Marlene Stringer’s report.

10. Attached hereto as Exhibit I is a true and correct copy of a document produced by defendant Emily Sylvan Kim during discovery bearing Bates stamps KIM00016603-KIM00016604.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York  
February 7, 2024

/s/ Benjamin S. Halperin  
Benjamin S. Halperin